

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 17, 1966
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND GERHARD D. LINZ, All Saints' Episcopal Church.

Councilman White moved that MR. MIKE HARRIS be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. HARRIS, a University Student, suggested that a Civic Committee be developed to look into the possibility of Austin's not losing the Press coverage of the Texas White House to San Antonio. Not every Congressional District of a former Congressman can call itself the Congressional District of the President. The Mayor thanked Mr. Harris, stating at 10:00 A.M. this morning a substantial group is meeting on this very problem, and he commended the young man for taking time from his classes to make this suggestion.

Mayor Palmer brought up the following zoning application deferred from last week:

E. F. EVANS	1302-1308 Robert E. Lee	From "A" Residence
By William F.	Road	To "B" Residence
Kemp		NOT Recommended by the Planning Commission

Mayor Palmer announced that Mr. W.F. Kemp's secretary had called in at 5:00 P.M. the day before asking that the E. F. EVANS' zoning application be postponed again indefinitely. There was a group present last week on this zoning, and a group here today, and the Council agreed adequate postponement had been given. Councilman Shanks moved that the Council sustain the Planning Commission in its recommendation and deny the zoning change. The motion,

seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

Councilman White moved that the Minutes of the Meeting of February 3, 1966, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman LaRue moved that the Council refer the following petition, filed under Section 31(c) of the Zoning Ordinance, to the Planning Commission:

Petitioners within 200' of property, filed by Mr. J. D. Chastain, 1201 Choquette Drive - From "B" Residence to "A" Residence for 6608 Grover Avenue and 1201 Ruth Avenue.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility and sanitary sewer purposes in, upon and across a part of Block B, Herman Brown Addition No. 2, Section 4, a subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Herman Brown Addition No. 2, Section 4, of record in Book 19 at Page 36 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portions of said easements; and,

WHEREAS, the City Council has determined that the hereinafter described portions of said easements are not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portions of said easements, to-wit:

Three (3) strips of land, each of the said three (3) strips of land being out of and a part of Block B, Herman Brown Addition No. 2, Section 4, a subdivision of a portion of the

Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Herman Brown Addition No. 2, Section 4, of record in Book 19 at Page 36 of the Plat Records of Travis County, Texas; each of the said two (2) strips of land hereinafter described as Number One and Number Two being five (5.00) feet in width and each to be released from the public utility easement provided on said map or plat of Herman Brown Addition No. 2, Section 4, and the strip of land hereinafter described as Number Three being eight (8.00) feet in width, which strip Number Three is to be released from the sanitary sewer easement as recorded in Volume 1473 at Page 448 of the Deed Records of Travis County, Texas, and as shown on said map or plat of Herman Brown Addition No. 2, Section 4; said three (3) strips of land being more particularly described as follows:

NUMBER ONE, BEING all of the south 89.67 feet of the east five (5.00) feet of Lot 2, said Block B, Herman Brown Addition Number 2, Section 4.

NUMBER TWO, BEING all of the south 89.67 feet of the west five (5.00) feet of Lot 4, said Block B, Herman Brown Addition Number 2, Section 4.

NUMBER THREE, BEGINNING at a point in the south line of an existing sanitary sewer easement twenty (20.00) feet in width, which point is the south-east corner of the herein described tract of land, and from which point of beginning an iron pin at the northeast corner of Lot 4, said Block B, Herman Brown Addition Number 2, Section 4, bears North 20° 47' West 20.00 feet and North 69° 13' East 63.75 feet;

THENCE, with the south line of said sanitary sewer easement twenty (20.00) feet in width, South 69° 13' West 50.75 feet to a point in the west line of Strip Number One described above, which point is the southwest corner of the herein described tract of land;

THENCE, with the said west line of Strip Number One, North 12° 54' West 8.08 feet to the northwest corner of said Strip Number One, same being the northwest corner of the herein described tract of land, same also being a point in a line eight (8.00) feet north of and parallel to the aforesaid south line of an existing sanitary sewer easement twenty (20.00) feet in width;

THENCE, with the said line eight (8.00) feet north of and parallel to the south line of an existing sanitary sewer easement twenty (20.00) feet in width, North 69° 13' East 49.64 feet to a point for the northeast corner of the herein described tract of land;

THENCE, South 20° 47' East 8.00 feet to the point of beginning.

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in WEST 24TH STREET, from a point 23 feet east of the west property line of Guadalupe Street to a point 12 feet west of the east property line of Leon Street; the centerline of which underground telephone conduit shall be 13 feet south of and parallel to the centerline of said WEST 24TH STREET.
- (2) An underground telephone conduit in WEST 24TH STREET, from a point 12 feet west of the east property line of Leon Street and 13 feet south of the centerline of West 24th Street to a point 4 feet west of the west property line of Leon Street and 15 feet south of the centerline of West 24th Street.
- (3) An underground telephone conduit crossing WEST 24TH STREET, from the point of intersection of the north property line of West 24th Street with the west property line of Seton Avenue to a point in the southerly prolongation of the said west property line of Seton Avenue 13 feet south of the centerline of said West 24th Street.
- (4) An underground telephone conduit crossing WEST 24TH STREET, from a point in the north property line of said West 24th Street 126 feet east of Pearl Street, to a point 13 feet south of the centerline of said West 24th Street and 126 feet east of Pearl Street.
- (5) An underground telephone conduit crossing WEST 24TH STREET, from the north property line of said West 24th Street southerly 43 feet; the centerline of said underground telephone conduit shall be 5 feet east of and parallel to the west property line of Leon Street.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed,

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shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman LaRue, carried by the following vote:
 Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The City Manager submitted the following:

"February 14, 1966

"To: Mr. W. T. Williams, City Manager Subject: SALE OF HOUSES

"Bids were opened in my office February 14, 1966 at 10:00 a.m. for the sale of five houses that Urban Renewal has turned over to us for disposal by demolition.

"Bids from eight different individuals were received and a breakdown of the bidding is as follows:

"BIDDERS	1704 Rosewood	1708 Rosewood	1810 Washington	1163 Salina	1308 Hackberry
Fritz Otto	30.75	30.75	45.75	40.75	<u>25.75</u>
K. L. Gorbud	26.00	36.00	21.00	60.00	--
A. Powell	35.00	45.00	59.00	65.00	--
A. Heyer	32.85	38.65	33.45	56.95	21.00
W. Johnston	22.50	41.00	27.50	22.50	7.50
R. P. Lewallen	<u>50.00</u>	25.00	--	50.00	--
C. M. Clark	--	--	--	51.00	16.00
G. L. Freudenburg	32.50	35.50	--	--	10.00

"The high bid on each house is underscored in red. Due to the fact that these structures are dilapidated and also the fact that it would cost this office several hundred dollars if we had to demolish them, it is recommended that these bids be accepted.

"If the bids are acceptable, the contracts will be forwarded to you for your signature, and should be returned to me for attestation and distribution.

"From: Dick T. Jordan, Building Official
 s/ Dick T. Jordan"

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 14, 1966, for the sale of five (5) houses that Urban Renewal turned over to the City for disposal by demolition; and,

WHEREAS, the bid of R. P. Lewallen, in the sum of \$50.00 for house located at 1704 Rosewood; the bids of A. Powell in the sum of \$45.00 for house located at 1708 Rosewood, in the sum of \$59.00 for house located at 1810 Washington, and in the sum of \$65.00 for house located at 1163 Salina; and the bid of

Fritz Otto, in the sum of \$25.75 for house located at 1308 Hackberry, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bids of R. P. Lewallen, A. Powell and Fritz Otto, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with said parties.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager submitted the following:

"February 14, 1966

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, February 11, 1966, at the Office of the Director of the Water and Sewer Department for the construction of approximately 1,173 feet of 8-inch concrete sewer pipe and appurtenances in PENNSYLVANIA AVENUE AND OAK SPRINGS DRIVE EASEMENT. This project will provide sanitary sewer service to existing houses in this area. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Fairey-Simons Company	\$ 9,263.20	35
Bland Construction Company	9,505.05	30
Ford-Wehmeyer, Incorporated	12,328.00	35
J. C. Evans Construction Company	13,350.00	30
Ed H. Page	13,797.20	40
City of Austin (Estimate)	7,866.10	30

"It is recommended that the contract be awarded to Fairey-Simons Company on their low bid of \$9,263.20, with 35 working days.

"Yours truly,
s/ Victor R. Schmidt, Jr.
Victor R. Schmidt, Jr., Director
Water and Sewer Department"

The City Manager stated this extension would serve eight houses and four proposed new houses. This is eight of the 102 that do not have sewer available.

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Each of those 102 are being checked to see if sewer can be made available to them. Fifteen years ago there were approximately 6,000 houses that did not have sewer available.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 11, 1966, for the construction of approximately 1,173 feet of 8-inch concrete sewer pipe and appurtenances in Pennsylvania Avenue and Oak Springs Drive Easement; and,

WHEREAS, the bid of Fairey-Simons Company, in the sum of \$9,263.20, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Fairey-Simons Company, in the sum of \$9,263.20, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Fairey-Simons Company.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. February 15, 1966

Tabulated by: B.J. Bonds, Purchasing Agent

"CITY OF AUSTIN, TEXAS BIDS ON ASPHALT

Description	Estimated Quantity		Gulf States Asphalt Co.	Humble Oil & Asphalt Refining Co.	Wright Asphalt Products Co.	Texas Emulsions
EA-11M	150,000	Net Unit Price		\$0.110838	\$ 0.1181	\$ 0.1050
Asphalt	Gallons	Total Net				
Emulsion		Price	No Bid	16,625.70	17,715.00	<u>15,750.00</u>
RC-2 Cut-Back	10,000	Net Unit Price	\$0.111132	0.107016	0.1150	No Bid
Asphalt	Gallons	Total Net				
		Price	1,111.32	<u>1,070.16</u>	1,150.00	
OA	30,000	Net Unit Price	0.093688	0.094276	0.0960	
Asphalt	Gallons	Total Net				
		Price	<u>2,810.64</u>	2,828.28	2,880.00	No Bid
RS-2	300,000	Net Unit Price				0.1010
Asphalt	Gallons	Total Net				
Emulsion		Price	No Bid	No Bid	No Bid	<u>30,300.00</u>

"Present contract net unit price: EA-11M Asphalt Emulsion \$0.1050 (Texas Emulsions)
RC-2 Cut-Back Asphalt 0.107016 (Humble Oil)
OA Asphalt 0.093688 (Gulf States)
RS-2 Asphalt Emulsion 0.1010 (Texas Emulsions)

"Invitations to bid were sent to all known producers of this material in this area. Bids are for one year beginning March 1, 1966 and ending February 28, 1967.

"NOTE: The City of Austin does not have heating & storage facilities for RS-2 Asphalt Emulsion. The Specifications require the successful bidder of this material to maintain loading, heating and storage facilities in the Austin area in order to load this material directly in City Vehicles. Texas Emulsions does maintain this type equipment on Balcones Drive. The other materials will be delivered to City storage facilities as required.

"This tabulation is submitted with the apparent low bid meeting the City of Austin Specifications and conditions underscored."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 15, 1966, for asphalt; and,

WHEREAS, the bid of Gulf States Asphalt Co., in the sum of \$2,810.64 for 30,000 gallons of OA Asphalt; the bid of Humble Oil & Refining Co., in the sum of \$1,070.16 for 10,000 gallons of RC-2 Cut-Back Asphalt, and the bids of Texas Emulsions, in the sum of \$15,750.00 for 150,000 gallons of EA-11M Asphalt Emulsion, and in the sum of \$30,300.00 for 300,000 gallons of RS-2 Asphalt Emulsion, were the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bids of Gulf States Asphalt Co., Humble Oil & Refining Co., and Texas Emulsions, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with said companies.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOTS 24, 25, 26, 28 AND 29, BLOCK 22 OF LOUIS HORST'S ADDITION AND

ADDITIONAL AREA; LOT 27, BLOCK 22 OF LOUIS HORST'S ADDITION, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND (2) TRACT 1: LOT 64 OF THE ENFIELD "A" ADDITION, FROM "B" RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND TRACT 2: WEST 91.5 FEET OF LOT 60 OF THE ENFIELD "A" ADDITION, LOT 61, WEST 102 FEET OF LOT 62, WEST 83.5 FEET OF LOT 63, AND LOT 63 LESS THE 83.5 FEET, ALL OF THE ENFIELD "A" ADDITION, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following zoning application deferred from February 3, 1966:

ROSA B. COOPER	2102 East 12th Street	From "A" Residence
By Mike Arnn	Additional Area	To "C" Commercial
	2100 East 12th Street	NOT Recommended by the
	1201-1205 Alamo Street	Planning Commission

Councilman Long moved that the change to "C" Commercial be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of 21 Towers, Inc. for a building permit together with a site plan dated February 10, 1966 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at West 21st and San Antonio Streets, Southwest corner, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of erecting an apartment hotel the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is sixty-six (66) parking spaces; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That sixty-six (66) spaces is an adequate number of parking spaces for the establishment shown on the site plan of 21 Towers, Inc. dated February 10, 1966, for use of the premises for the purpose of erecting an apartment hotel.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman LaRue moved that the Council grant the AUSTIN SKI & BOAT CLUB permission to postpone their ski race on Lake Austin from February 20th to March 6th. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager reported Travis County Water District No. 12, located east of Bergstrom Field has a long strip running along the Bastrop Highway north of Bergstrom Field extending west almost to the City limit line. There is some waterpipe located in the present highway right of way which must be relocated in order that the grade separation and interchange at the entrance of Bergstrom Field can be accomplished. The estimated cost for relocating the pipe is \$14,000. He explained complications existing in the District. There is quite a bit of fairly new pipe to be removed from the project, and that pipe has a value of about \$5,000. The City Manager recommended buying from the District a part of the line in place from the City limits extending east to a certain distance at \$9,000; and then purchasing the salvaged pipe at \$2.00 per foot at about \$5,000. This would help the District raise funds and the City would have a water main in place available to serve abutting property which is not in the district. Councilman LaRue noted this would also reduce the amount of the purchase of the District when the City acquired it. Mayor Palmer said this money would be used for the relocation of the line and would not be applied on the principal nor reduce the District debt. Later in the meeting, the Council discussed this pipe purchase further. The City Manager stated the principal land abutting this line

was City owned property on the south side and the Hillcrest Dairy Farms on the north side; and the Hillcrest and adjoining property is subject to development shortly, and it could be served by the City when annexed. He stated to install this line today would cost more than the City will pay for it now, as the City is paying the cost of the installed pipe. Councilman LaRue noted again that when the City acquired the Water District, the cost would be reduced by the amount the City pays for the pipe. Councilman LaRue moved that the City Manager be authorized to purchase the pipe in place and the salvage pipe necessary for the construction of the Highway adjacent to Bergstrom Field, from Water District No. 12. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH CAL MARSHALL FOR THE
APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN
UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer announced it was 10:30 A.M. and opened the hearing on further consideration of the CHILD CARING FACILITIES ORDINANCE. Mr. John Simpson read a statement outlining the committee's review of suggestions made since the other hearing, and pointed out the need of an ordinance requiring a permit from the Health Officer. The committee felt facilities operating as pre-school or kindergartens were in need of official inspection and supervision. Some were operated under close supervision of church groups and maybe model operations, but no standards have been set which would be applicable to all of the kindergartens and pre-school facilities. Neither the committee or city personnel was in a

position to judge the educational qualifications of the operators of any child caring facility; however, the City personnel is well qualified to pass upon the health and welfare requirements of the children in these child caring facilities. Inspections would be made by the Health Department checking sanitation; by the Nursing Division concerning child care; by the Fire Marshal for safety and fire hazards; and by the Building Official for zoning and construction. A basic fee of \$5.00 with fifty cents per child and a maximum of \$25.00 was thought not to be excessive and would defray the cost of these services. His statement pointed out a change in the staff ratio of employees to children in the four to six year old brackets, and a change in the number of toilet facilities required. It was suggested that the ordinance become effective July 1, 1966, in order to give all facilities ample opportunity to comply.

Mayor Palmer announced the Council is charged with the responsibility of the protection and safety of persons, property and public health. He explained the Workable Program, in which there are certain goals to attain; and within this program are requirements for a Health and Sanitation Code. Austin is concerned about the public health of its people. Mr. Simpson stated meetings on this Code began over a year ago and they were publicized through all of the news media. Operators of kindergartens were invited, but only a few attended. The City Manager pointed out a number of news stories followed the first presentation to the Council several weeks ago.

MRS. MARVIN LUEDTKE, R.N. expressed strong favor of the child caring facility program, and urged the City to set up regulations and enforce them.

MRS. INEZ JEFFREY, representing children, suggested the matter of educational qualification be presented to the Texas Education Agency where it belongs. This ordinance is the first step to protect the children. She was not concerned about those operating under a Church Board, but they are not under a State law, and their operation should be under some kind of legal framework to protect the children.

Mayor Palmer explained again this ordinance pertained to Health and Sanitation and not to the educational aspect.

CANNON BAXTER, Senior Warden, Church of the Resurrection; DR. ALBERT F. JESSE, and MR. CARL DUNK, representing the Lutheran Church Kindergartens; MR. FOREST TROUTMAN, representing the Lutheran Congregation; DR. TOM E. PETERSON, Trinity Lutheran School; FATHER SCHMIDT, Superintendent of the Catholic Schools, and REV. CARL SHANNON, Church of the Resurrection Day School, offered several suggestions pertaining to Parochial Schools. Some had not been aware of the meetings in preparation of this ordinance, and asked for an opportunity to meet for more orientation about their standing under the ordinance. Covered in the discussion were the effect the Food Ordinance might have on the kindergartens; the requirement of a fence around the kindergarten area; ratio of teacher to students; and the exclusion of Casis School. Lengthy discussion was held on kindergartens as an integral part of a school, as completely distinguished from child caring facilities; and that the ordinance should exclude all public schools and those classes, grades, or parts of private or parochial schools of kindergarten level and above so long as they are conducted in accordance with the educational curriculum similar to that of the public school system. MAYOR PALMER stated this seemed to be the area where there is more concern; and suggested that the committee call a meeting with this group and have another hearing.

The City Attorney stated the suggestions made had to do with exclusion

from requirement that the facility comply with the Minimum Health Standards. No suggestion had been offered about health standards, but only that the group be excluded. The committee and members of the Health Department are concerned with minimum health standards. There are areas to be controlled, and the regulations must apply to all alike. As to excepting Casis School, the City Attorney stated there was a valid basis where a public agency regulated that activity. The City Manager pointed out the public agency was governed by a Board elected by the people. The Health Officer announced the Health Department makes inspections of all the Public Schools and this includes Casis.

MAYOR PALMER asked that when the meeting is called that the main objective of health standards for the children not be overlooked. Councilman Long suggested making a child caring ordinance and a kindergarten ordinance. A representative from the Catholic School agreed.

MR. LEE BARTON, representing only his own four small children, asked the Council to look into the sanitation and welfare of the small children and forget about the education and kindergarten angle.

Councilman LaRue suggested that a date of the hearing be announced today. MR. SIMPSON called the hearing at 4:00 P.M., March 17, at the Auditorium of the Health Department. The Mayor stated after this meeting, the Council would set another hearing when final passage of the ordinance is considered.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING CHAPTER 11 OF THE AUSTIN CITY CODE OF 1954 ENTITLED "FIRE PROTECTION, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; RENAMING SUCH CHAPTER 11 OF THE AUSTIN CITY CODE OF 1954 TO READ "FIRE PREVENTION CODE", AND DECLARING AN EMERGENCY.

MR. ED LOREY had submitted suggestions in writing, and the City Attorney stated some of them had been incorporated in this final draft. The Fire Marshal and Assistant City Attorney, MR. KENNETH JONES, reviewed in detail the Sections mentioned in, or amended in line with Mr. Lorey's suggestions. Participating in the hearing on the Fire Code were Fire Chief DICKERSON, Fire Marshal HEATON, Members of the Fire Safety Board, MR. ED KRENEK, Fire Extinguisher Dealer, MR. BENNIE MILES, Equipment Dealer, MR. ED LOREY, Equipment Dealer, Members of the Fire Code Study Committee, MRS. LEON DONN and others.

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, Mayor Palmer
Noes: Councilmen Long, White

The Mayor announced that the ordinance had been finally passed.

Councilman Long stated "This is a pretty good code except for one provision concerning fire crackers; and as long as that is in there, I cannot vote for it, so I will have to vote 'no'."

Councilman White stated "I think I will have to go

along with Mrs. Long. It is a good code all right, but I think we ought to have those little fire crackers."

Mayor Palmer introduced the following ordinance:

AN ORDINANCE REPEALING CHAPTER 10 OF THE AUSTIN CITY CODE OF 1954 ENTITLED "EXPLOSIVES", AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long moved that MR. JOHN B. FLINK be heard.
The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. JOHN FLINK appeared for himself and as Executor of an estate of 122.60 acres in the Decker Area, stating he held a third undivided interest with his sister Mrs. Charles Montgomery, and his brother. He reviewed negotiations between him and representatives of the City, the written offer from the City of \$45,633, an invitation for him to meet with the representatives about the acquisition of the property, and the possibility of filing of eminent domain proceedings if there could not be an agreement on the price. The price figured at \$360.22 per acre. Some of the negotiations had been made with Mr. Flink's Attorney, who is no longer representing the Flink family. Mr. Flink said after receipt of the official letter, they had three days to accept or reject the offer, and the City wanted possession of the property in 90 days. He compared the price of their property with that of the Tom White property. The City Attorney stated the difference was in the improvements, and the land value was the same as his, \$360.00 per acre. In the afternoon meeting Mr. Flink and his family again discussed the acquisition of their property. Mr. Flink stated reference had been made that they could buy their improvements. He discussed price of land in the Decker area and surrounding area and they could not buy 126 acres in the area with the money they will be paid for theirs.

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business.

MAYOR PALMER announced the Council would hear DR. ALBERT LaLONDE, Chief of Staff, and members of the Brackenridge Hospital Board. DR. JOHN BARCLAY, Hospital Board, reported a shortage of nurses. There are 900 Registered Nurses in the City; of which 600 are on duty, with 35 or 40 being part time. The other 300 are not working at their profession for various reasons. The pay rate contributes to some of the nurses' not working. The rate in Austin Hospitals is comparable and competitive. He compared the nursing profession with that of teaching, stating the teachers' starting salary is \$4,850, and the nurses' beginning rate is \$3,780. The pay rate is just a part of the answer, the other part being status and recognition. Dr. Barclay reported the Board voted this to be a critical situation, but made no recommendation nor went along with the Doctors' specific recommendation.

MR. BEN TOBIAS, Administrator of Brackenridge, agreed that more nurses were needed, but were not available. He said perhaps the emergency approach may not be the way this situation should be handled. Councilman Shanks asked if there were not enough nurses to staff the evening and night shifts now, what would be done when the other rooms and beds were added. Councilman LaRue inquired about Vocational Nurses. It was brought out the overall ratio was 2:1. Councilman Shanks asked if there were less nurses now than there were six months ago. It was stated in August of 1965 there were 104; now there are 103 Registered Nurses. In August there were 93 Vocational Nurses; as to 75 now. Councilman LaRue said if there is a shortage of Registered Nurses, to a certain extent it could be made up with Vocational Nurses to a certain extent--not entirely. Mayor Palmer asked if this shortage of nurses was unique to Austin, or Texas, or if it were a national problem. The Administrator stated it was a national problem and competitive with other hospitals, public health, and nursing homes.

MRS. MARVIN LUEDTKE, R.N., suggested that working conditions be improved so the load would not be so heavy. MR. JIM ROGERS said his daughter would like to go into Nursing School. His observation was the low wage scale, and lack of recognition of the Registered Nurse.

MAYOR PALMER pointed out the Hospital operates \$1,500,000 in excess disbursements over receipts, due to the cost of public health. He asked if Brackenridge raised its pay scale for nurses and drew nurses from other hospitals, would that help the situation? Councilman Shanks suggested a professional evaluation of the nursing career be made. The Mayor pointed out the pay raise would have to come either from an increase in taxes or from the sick people at the Hospital. The City Manager noted the suggestion in the resolution from the doctors would develop into an \$8.50 per diem increase. That provides no increase for people earning less than the General Duty Nurses, those earning less than \$315 per month. Councilman Shanks was interested in knowing with which profession a nurse would be compared. Billy Brown suggested comparing the salary of a General Duty Nurse to a Physical Therapist, who begins at \$430.

Dr. Albert LaLonde stated only doctors and professional nurses could adequately care for sick people. There has been a tendency to bring in L.V.N.'s

and a substitution of L.V.N.'s for Registered Nurses will not be accepted at Brackenridge Hospital, and he was speaking for the Medical Staff 100%. Only two groups can judge whether people are getting proper medical care--doctors and the nurses. He stated Registered Nurses could not be employed at the price being paid. He did not care whether they came from the other hospitals or where, but they would have to be obtained if the Hospital is to be operated. If the salaries are raised at Brackenridge Hospital, the other hospitals will have to raise their salaries; and when the salaries reach the scale of other hospitals in Texas, nurses will be coming into Austin. He said one key nurse had left, and there is a possibility that 50% of the nurses would leave. The City Manager reported Baylor Hospital in Dallas has 34% of their nursing positions vacant; Methodist Hospital in Dallas is 20% short; Herman in Houston has many vacancies; Memorial Baptist in Houston was 44% short. In answer to Mayor Palmer's inquiry, Dr. LaLonde stated the daily charge for Brackenridge was too low. He stated building recreation and swimming pools was not as important as the medical health of the community.

Dr. Bryan Forister reported major surgical cases were being kept in intensive care four to six days longer than normal due to lack of nurses. Dr. LaLonde stated the Medical Staff requests a meeting with the Council in one week to discuss this matter to ascertain what solution the Council has come up with. It was the Doctor's recommendation that the pay rate be increased to \$418 per month. Dr. Barclay read the resolution adopted by the Hospital Board.

Dr. Lassiter stated the number of beds had been doubled in Austin and there had been two nursing schools. Brackenridge is planning now to double the number of beds, and Seton Hospital has closed its Nursing School. One doctor stated there was a campaign being conducted through speaking to clubs and to parents and to make a career for nurses attractive. It would be necessary to offer them a salary comparable to a first year teacher. Mayor Palmer asked what a technician working for a doctor earned. DR. FOX stated the doctors could out bid any of the Hospitals and attract the nurses to their offices. He did not have a R.N. but they could employ such a nurse if she could type. He summarized the status of a nurse in that her starting salary is not competitive as it applies to the rest of the state and there is no incentive, because the merit rating is so inflexible. He suggested taking the nurses out of the classification system. The City Manager explained the hospital nurses' service is continuous and consistent and different to employment referred to previously where the work was not continuous. Also there are fringe benefits which apply to all employees of the City, amounting to about 28%. He explained the classification system as an attempt to compare City of Austin jobs. The classification system includes the attorneys, engineers and professional people.

MR. LLOYD, Administrator at St. Davids Hospital, said the nurse shortage is nationwide, but reported the Texas Health Association had embarked on a plan to raise \$12,000,000 to recruit and train more nurses. The income of nurses of all institutions should be considered and evaluated along with the income of teachers, engineers, lawyers, etc. He pointed out also that any increase given to the nurses and other personnel, would not be a cure all, as other areas would increase wages, and this situation would reoccur. His suggestion was to offer as much as possible within the economy of the area, and he repeated there would be no way for the hospitals that were not tax supported to raise the wages, other than to increase the daily rate to the patients. He pointed out many reasons why nurses were not working and these were situations which money would not cure.

DR. DRYDEN urged the salary problem be solved. The Mayor asked if he would bring in a Resolution urging the Council to either raise taxes or raise room rents to supply this increase. He asked if the doctors would go on record as favoring this.

DR. RALEIGH ROSS recalled had there not been an adjusted pay for the interns there would not be a training program today. The Mayor stated this situation existed in every city department.

Councilman LaRue stated over 3,000 employees were involved in this discussion today, as the Council is faced with this problem all over the City. About six or eight weeks ago he had asked the City Manager to look into the possibility of a pay raise to all city employees. The City Manager stated whatever pay increase was given could come from no source other than a tax increase or increased charges for services to offset pay raises in various departments. Additional funds for departments that have no earnings would come necessarily from an increase in taxes. Councilman Long stated about 600 employees make below the poverty level and about a third of them work at Brackenridge. She referred to the situation in the Police Department where they were losing policemen and could not add to the staff, and an increase was given in that case; and health is as important as law enforcement.

Councilman White stated the Mayor had asked the doctors to bring in a Resolution asking the Council to raise taxes but the Council had asked the people for this job, and it was the Council's duty to go ahead and act. DR. BARCLAY said that the doctors do not pay any rent, and the surgeons use the operating rooms without paying anything. Last year there were 7,500 operations, and if the doctors would pay \$20.00 for the use of the operating rooms, that would pay the increase to the nurses. It was pointed out the doctors give many hours of their time in services to Brackenridge Hospital.

One doctor said the possibility of raising taxes put Brackenridge in competition with the other hospitals.

DR. BRYAN FORISTER, a newcomer to Austin, noted the local shortage of nurses, and believed the City would be liable. DR. FRED HANSEN was for increasing the salaries to the extent those nurses not now working would return to the profession, and those leaving for Camp Gary and other places, would remain. He suggested raising the patient's bill and getting them out of the hospital sooner by their having had better care. DR. C.M. DARNALL pointed out Brackenridge's being different by having special heart and lung equipment and more critical cases, there are insufficient Registered Nurses. He said there were sick people to take care of and he asked the Council to help solve this problem of care.

Various nurses were heard. MRS. MARY COX who paid \$150 to one to care for her children, could not work as a staff nurse and clear what she pays this person. MRS. M. WILLIAMS said the hospitals were losing a great potential in not being flexible in their hours as a number of Registered Nurses would like to work on a short shift rather than an eight hour shift. MISS LOLLY LOCKHART stated the shortage of nurses should be a factor in raising the salaries without taking into consideration all of the other employees, where there were no shortages; and also education should be taken into consideration. MISS NANCY TOWNSEND, R. N., said they were losing nurses because they are working under pressure trying to do a job with a short staff.

Mayor Palmer stated the Council was glad the doctors came before the

Council and expressed their feelings in this matter. He pointed out there are many cities, including some of the major large cities that are on the verge of bankruptcy simply because their Councils listened to a particular power politician on a particular problem presented to them. As a result, they have no funds whatsoever. The Council could say this is the emergency today, but there will be another tomorrow and the next day. The Council has to look at all of the services that the taxpayers want provided. As one Council Member, the Mayor said, the City of Austin was going to try to hold the taxes where they are. People are moving to suburbia to avoid taxes, and yet those people ask for more and more services from the taxpayers of Austin. The City could be bankrupt, and its ratings could go down to BAA, where it would cost \$10,000,000 more for a bond issue than it would if there were a good sound solid fiscal policy. Everyone on the Council would love to pay the nurses and the other employees more money. He pointed out the people can have any kind of a city they are willing to pay for, but the only place the money comes from is from the citizens, and the City cannot do anything for people that it does not have to take away from someone else. He said the Council was going to study this problem along with many, many others. It is not as simple as some may present it, however, the Council will try to find a solution. He pointed out in order to enlarge and furnish additional rooms at the Hospital, it looks as though the room rents will need to be raised to finance those rooms.

DR. ROSS inquired about the Resolution the Mayor mentioned. The Mayor explained when the City had an issue to put before the people, the bankers, Chambers of Commerce, home builders, and other groups would endorse it. If there is to be an increase in room rents, the doctors could say the room rents are low, and that they would suggest this as a means for producing income for the additional wage increase. Councilman Long stated the room rents were high enough, and people could not afford two or three insurance policies to cover these high costs.

Dr. Fred Hansen asked that the City Council meet with the Medical Executive Committee at which time both parties would have financial information. The Mayor stated the Council would meet with them and it would be an open meeting. The Mayor said every member of the Council takes this matter seriously and is as interested as anyone.

MR. JOHN HAMPTON retired under conditions that his medical, hospital, and doctor bills are already being provided for which he was grateful. In order to have a first class facility, with adequate pay to have professional nurses, he was willing to pay an additional tax load.

Dr. LaLonde pointed out the patients at Brackenridge were more critically ill than at the other hospitals, and the pay schedule for their care is not comparable. In answer to the Mayor's inquiry, he stated the facilities at Brackenridge were the best anywhere.

MAYOR PALMER emphasized the importance of this matter, and the necessity of giving it careful consideration and weighing it in many, many ways. He said the Council would come up with some type of solution, although it may not be the complete solution.

The Council met with members of the Town Lake Study Committee. MR. DAVID BARROW, Chairman, stated the Committee was concerned about the appearance of the lake, landscaping and structures close to the water. Mayor Palmer reviewed the division of the responsibilities of the Town Lake Study Committee and the Parks and Recreation Board, in that the public land would be under the Parks Board and the private property would be referred to the Town Lake Committee. Very little privately owned land remains to be developed. Mr. Barrow said the aesthetic development could not be handled through planning and zoning. When the public property was turned over to the Parks Board, the Town Lake Committee was not notified what was to be done about the use of the lake, the water, or private development on City owned property. His recommendation was that the development of private business on public lands would be better reviewed by the Town Lake Committee.

MRS. FAGAN DICKSON, Chairman of the Parks Board, suggested appointing the same people on the Town Lake Committee to the Parks Board, and not separate private development on park lands from the Recreation Board, and there was no reason to make this one exception--Town Lake. DR. D. K. BRACE said the park and recreation facilities are one of the most important phases of city life and growth, and there should be a very strong Parks and Recreation Department. He said MR. BEVERLY SHEFFIELD was one of the best leaders in the United States in this area. The Recreation Board was not given instructions about the commercial uses of the waters of Town Lake--excursion boats, etc. Since there is not much private land to be developed, he did not think the Town Lake Committee should need to exist and the Council should so instruct it.

MR. ED ST. JOHN expressed his concern over not passing over any economic development that Austin might acquire, thinking not only of the local people but in the direction of tourism. MR. VIC MATHIAS said the public lands had been designated to the Parks Board in view of the fact very little was park land. He asked if the Parks Department would approach this responsibility from the point of view of park development and have the entire control on what is still public land. The Mayor stated the control would rest in the Council.

MR. BARROW agreed with Mrs. Dickson in the make up of the Recreation Board that consideration be given to the type of representation that is obtainable from the Chamber of Commerce. After more discussion, Councilman LaRue moved that the Council express appreciation to the Town Lake Study Committee and discharge it. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Each member of the Council expressed personal gratitude and thanks to the Town Lake Committee for its effective work and help to the Council.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1954 BY
ADDING THERETO A NEW CHAPTER TO BE KNOWN AS CHAPTER
43 PROVIDING FOR THE REGULATION OF THE BUSINESS OF PRO-
VIDING PRIVATE SECURITY AND GUARD SERVICE WITHIN THE
CITY OF AUSTIN, AND DECLARING AN EMERGENCY.

The City Attorney stated this ordinance now provided for a \$1,000 bond that would cover "wrongful and illegal actions", and an insurance policy which would cover "negligent actions". This protection can be economically provided. MR. LES PHARES stated this was acceptable to his company. MR. LIGON, Master Burglary Alarm, stated this ordinance was all right, but he had been left completely out in the hearing on the Fire Prevention Ordinance, and his interest was the combined Burglary and Fire Prevention Alarms. The Mayor asked that Mr. Ligon be supplied with the Fire Prevention Ordinance, and the Council would be glad to hear him on any portion of the ordinance; and if necessary, the ordinance could be amended. MR. JACK YOUNG, Security Associates, was affected by three ordinances, Chapters 42, 43 and the Fire Code. He was unaware of the hearings on these ordinances. It was pointed out there was quite a bit of publicity.

After discussion, the ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council discussed the development of Anderson Lane. The Director of Public Works distributed a comparison of costs for constructing the following:

	Total City Cost
44' road on existing right-of-way	\$ 37,658
Two 24' roadways on 90' right-of-way	187,793
60' roadway on 90' right-of-way (49 property owners)	157,724
60' roadway (City acquisition of 10' right-of-way on south side - 15 property owners)	90,035
60' roadway (City acquisition of 10' right-of-way on north side - 14 property owners)	103,872

The City Manager recommended paving the street at 44' width and buying the right-of-way in a systematic manner. The Mayor suggested going ahead with the 60' paving and acquire the right-of-way as suggested. After discussion, Councilman Shanks moved that the City Manager be authorized to start orderly acquisition of the 90' right-of-way and take care of the road existing now making it better; and when the permanent road is put in, it will be a 60' paving. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Council agreed to open bids on the following at 10:00 A.M., April 7th:

Contract X-105 - Closed Feedwater Heater
Contract X-106 - Deaerator Feedwater Heater
Contract X-107 - Boiler Feed Pumps

Councilman White moved that the Council designate Congress Avenue as "JACK BENNEY AVENUE" for Tuesday, February 22nd. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Building Official inquired as to his duties with reference to permits on Town Lake. The Mayor stated no building permits would be referred to the Town Lake Committee now. Councilman Long suggested that they be brought before the Council. The Mayor stated public property would be referred to the Parks Board. As to private development on public property, Councilman Long thought that this would also come before the Council.

Councilman Shanks read a letter from one who had recently purchased a lot, started construction and applied for electric service, but found it was not available. The lot was outside the city limits and purchased by metes and bounds. Councilman Shanks said there was an oral agreement that the seller would put a road in there, and the buyer was penalized because the road was not provided. It was pointed out the State law prohibited the City from furnishing utilities to property not in an approved subdivision. The recourse would be against the one from whom the property was purchased. (8201 Research Boulevard) Councilman LaRue suggested waiting a day or two and find out what the problem is. The City Manager said the State law prohibits any utilities' being provided to an area not subdivided in accordance with the subdivision ordinances. The City Manager stated he would find out what the situation is.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

TRACT 1:

Seventy-two (72) acres of land, more or less, a portion of the Philip McElroy, Jr. League, in Travis County, Texas, and BEGINNING at a stake in the South line of Lot No. 3, in the Subdivision of original Tract No. 1, of the said McElroy League, and at the Southeast corner of a 72 acre tract of land sold and conveyed by Andrew Sjoberg, and wife, to P. A. Brodin, by deed dated September 30, 1890; THENCE with the East line of said 72 acre tract North 30-1/2 degrees East 982-1/2 varas to its Northeast corner at a stake in the North line of said Lot No. 3; THENCE, with said North line South 60° East 422-1/4 varas to a stake in the East line of said McElroy League and Northeast corner of said Lot 3; THENCE, with said East line South 30 degrees West 982 varas to a stake in same and Southeast corner of said Lot No. 3; THENCE, with the South line of said Lot No. 3, North 60 degrees West 442-1/2 varas to the place of BEGINNING, and containing 72 acres of land more or less.

TRACT 2:

Seventy (70) acres of land, be it more or less, a part of the Phillip McElroy Survey in Travis County, Texas, and more particularly described by metes and bounds as follows: BEGINNING at a mound in the South line of 100 acres from J. W. Bell and Sarah F. Bell his wife, to A. J. Sjoberg and 10 varas North 60 degrees West from water hole in Decker Branch; THENCE North 60 degrees West 436-1/2 varas to Southwest corner of Henry Harris 18-1/2 acre tract; THENCE North 30 degrees East 829 varas to Mound in South line of Torn's 200 acre tract; THENCE South 60 degrees East 284 varas to Torn's Southeast corner; THENCE North 30 degrees East 153 varas to Nels Housers Southwest corner; THENCE South 60 degrees East 172-3/4 varas to mound; THENCE South 31-1/2 degrees West 982-1/2 varas to the place of BEGINNING, containing seventy acres of land, be it more or less, together with all improvements thereon situated, and being the same premises described in that certain deed of conveyance dated September 30, 1890, executed by A. J. Sjoberg and wife, B. L. Sjoberg, to P. A. Broden, now of record in Book 97, page 124 of the Deed Records of Travis County, Texas;

SAVE AND EXCEPT Fifteen and 32/100 (15.32) acres of land out of two original tracts of 70 and 72 acres, both located in the Philip McElroy League in Travis County, Texas; the 70 acre tract being more fully described in a deed from A. J. Sjoberg, et ux, to P. A. Brodin, dated September 30, 1890, and recorded in Volume 97, page 138, of the Deed Records of Travis County, Texas. The 72 acre tract is more fully described in a deed from Oscar W. Anderson to G. A. Flink, dated August 7, 1917, and recorded in Volume 295, page 570 of the Deed Records of Travis County, Texas; The 15.32 acre tract herein conveyed, being more particularly described by metes and bounds as follows: BEGINNING at a reentrant corner of the above 70 acre tract; said reentrant corner being located South 60 degrees East 284 varas from the Westernmost North corner of the said 70 acre tract; THENCE with an existing fence line and Northeast line of the 70 acre tract North 28 degrees 10 minutes East for 427.6 feet to a fence post located in the South line of a 45 acre tract owned and occupied by Francis M. Oakley; THENCE, with the Northeast line of the 70 and 72 acre tracts and also an existing fence line, South 61 degrees 50 minutes East for 1557.3 feet to a fence post located in the Northwest line of a 40 foot county road; said road being located on the East line of the aforementioned Philip McElroy League; THENCE with an existing fence and Northwest line of said 40 foot county road, South 28 degrees 20 minutes West for 431.2 feet to an iron stake set for the Southernmost corner of the tract hereby conveyed; THENCE North 61 degrees 42 minutes West for 1551.0 feet to the

place of BEGINNING, and containing 15.32 acres of land, more or less. (JOHN B. FLINK, et al)

The motion, seconded by Councilman LaRue, carried by the following vote:
 Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
 Noes: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

Tract No. 16, being 3 acres of land out of an original 55.67 acres conveyed by Lonnie E. King, et ux, to R.B. Thrasher by warranty deed dated April 1, 1955, and recorded in volume 1594, page 210, of the Travis County Deed Records and being a part of the Reuben Hornsby Headright League Survey, Abstract No. 15 in Travis County, Texas; the 3 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake set in the westernmost corner of the 55.67 acre tract mentioned above;

THENCE, North 28° 30' East along the northwest line of the 55.67 acre tract for 102.5 feet to an iron stake set for the northernmost corner of the tract herein described;

THENCE, South 61° 24' East for 1273.16 feet to an iron stake set in the north-west right-of-way line of FM Highway No. 973 for the easternmost corner of this tract;

THENCE, South 28° 42' West along the northwest right-of-way line of FM Highway No. 973 for 102.5 feet to an iron stake set in the southernmost corner of the 55.67 acre tract;

THENCE, along the southwest line of the 55.67 acre tract, North 61° 24' West for 1272.8 feet to the "place of beginning" and containing three acres of land, more or less. (SARA REYES GONZALES)

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

Tract No. 2 being 91-1/2 acres of land, more or less, parts of Lots Nos. 6 and 7, in Tract No. 1 of the original partition of the Philip McElroy League, in Travis County, Texas, which tract is described by metes and bounds as follows:

BEGINNING at a stake and mound at the northeast corner of said Lot No. 6;

THENCE, S 30° west with east line of said league 900 varas to the Austin-Hogeye Road;

THENCE, with said road west to the west line of said Lot No. 7;

THENCE, N 30° E 1030 varas to the northwest corner of said Lot No. 6;

THENCE, S 60° E 530 varas to the place of beginning, and being the same property conveyed to J. L. Buaas, by Ruth Ellen Pope, individually and as independent executrix of the Estate of John Burwell Pope on December 30, 1939, and recorded in the Deed Records of Travis County, Texas, in Volume 634, Pages 488 through 490, to which records reference is here made for all purposes. (CHARLES L. SANDAHL, JR.)

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

Seventy-five (75) acres of land out of the I.P. Jones 168 acre tract of land in the Rueben Hornsby Headright League Survey, Abstract No. 15, in Travis County, Texas, being part of Lots Nos. 2, 3 and 4 in the partition of the Estate of Sarah A. Moore, deceased, by the probate court of Travis County, Texas, and which said 75 acres of land is the most southerly 75 acres of land out of a tract of 130.67 acres of land set aside to Lois D. Thrasher and Robert B. Thrasher in a partition of the aforementioned 168 acre tract of land between Lois D. Thrasher and Robert B. Thrasher and Dainty Lind of date December 15, 1952, and which said 75 acres of land herein sold and conveyed is described by metes and bounds as follows:

BEGINNING at the northwest corner of the 76-1/8 acre tract of land

conveyed by M. R. Jones to A. W. Rowe by deed of record in Volume 118, page 638 of the Deed Records of Travis County, Texas;

THENCE, S 60° E 157.8 vrs to a stake at the northwest corner of the said 76-1/8 acre tract of land in the southeast line of said Lot No. 2;

THENCE, N 30° E 340.75 varas to stake for corner; the same being the southwest corner of a six acre tract of land sold and conveyed by Jack Aiken and wife, to Aaron F. Jones by deed of record in Volume 209, page 70 of the Deed Records of Travis County, Texas;

THENCE, S 60° E along the south line of said six acre tract of land conveyed by Jack Aiken to Aaron F. Jones as aforesaid, a distance of 157.8 varas to stake for corner, the same being the southeast corner of said six acre tract;

THENCE, N 30° E along the east line of said six acre tract of land sold and conveyed by Jack Aiken to Aaron F. Jones as aforesaid a distance of 92.68 varas to stake for corner;

THENCE, S 30° E a distance of 157.8 varas to stake for corner in the east line of a 162 acre tract of land sold and conveyed by Wm. Jones and wife to A. F. Jones and Joe Jones by deed recorded in Volume 152, page 317 of the Deed Records of Travis County, Texas;

THENCE, N 30° E along the east line of said 162 acre tract of land conveyed by Wm. Jones and wife to A. F. Jones and Joe Jones as aforesaid a distance of 719.08 varas to a stake for corner;

THENCE, N 60° W a distance of 473.4 varas, more or less, to stake for corner in the northwest line of said Lot No. 2, and thence S 30° W along the northwest line of said Lot No. 2 a distance of 1152.51 varas to the place of beginning and containing 75 acres of land, together with all improvements thereon.

SAVE AND EXCEPT: that portion conveyed to Bowers Land & Cattle Co. by deed dated August 31, 1961, described by metes and bounds as follows, to-wit:

3.576 acres of land, in the Reuben Hornsby Headright League Abstract No. 15 in Travis County, Texas, out of the 75 acre tract of land conveyed by the Veterans' Land Board to Lonnie E. King, et ux, Vol. 1317, page 329, Deed Records of Travis County, Texas, and also out of the 130.67 acre tract of land set aside to Lois D. Thrasher and Robert B. Thrasher out of the I. P. Jones 168 acre tract by the Probate Court of Travis County, Texas, in Partition Deed Vol. 1302, page 263, December 15, 1952, and which 3.576 acres of land is described by metes and bounds as follows:

BEGINNING at a concrete monument set at the southwest corner of this 3.576 acre tract of land from which point an iron pipe at the southeast corner of a 6 acre tract of land conveyed by Jack Aiken and wife to Aaron F. Jones and recorded in Vol. 209, page 70, Deed Records of Travis County, Texas, bears N 64° 18' W 50.12 varas or 139.22 feet and thence S 28° 34' W 92.68 varas or 257.44 feet;

THENCE, S 64° 18' E pass a concrete monument set in the west right-of-way

of Farm Road 973 at 90 varas or 250, in all a total distance of 106.68 varas or 299.1 feet to the most easterly south corner of the 75 acre tract of land, conveyed by the Veterans' Land Board to Lonnie King, et ux, Vol. 1317, page 329, Deed Records of Travis County, Texas;

THENCE, N 30° E 187.87 varas or 521.85 feet with the original east line of the said 75 acre tract for the northeast corner;

THENCE, N 62° 24' W pass a concrete monument set in the west right-of-way of Farm Road 973 at 15.47 varas or 42.96 feet, in all a total distance of 105.57 varas or 293.24 feet to a concrete monument set for the northwest corner;

THENCE, S 30° 35' W 191.46 varas or 531.83 feet to a concrete monument at the point of beginning and containing 3.576 acres of land. (WILLIAM O. BOWERS, III)

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

3.576 acres of land, in the Reuben Hornsby Headright League Abstract No. 15 in Travis County, Texas, out of the 75 acre tract of land conveyed by the Veterans' Land Board to Lonnie E. King, et ux, Vol. 1317, page 329, Deed Records of Travis County, Texas, and also out of the 130.67 acre tract of land set aside to Lois D. Thrasher and Robert B. Thrasher out of

the I. P. Jones 168 acre tract by the Probate Court of Travis County, Texas, in Partition Deed Vol. 1302, page 263, December 15, 1952, and which 3.576 acres of land is described by metes and bounds as follows:

BEGINNING at a concrete monument set at the southwest corner of this 3.576 acre tract of land from which point an iron pipe at the southeast corner of a 6 acre tract of land conveyed by Jack Aiken and wife to Aaron F. Jones and recorded in Vol. 209, page 70 Deed Records of Travis County, Texas, bears N 64° 18' W 50.12 varas or 139.22 feet and thence S 28° 34' W 92.68 varas or 257.44 feet;

THENCE, S 64° 18' E pass a concrete monument set in the west right-of-way of Farm Road 973 at 90 varas or 250, in all a total distance of 106.68 varas or 299.1 feet to the most easterly south corner of the 75 acre tract of land, conveyed by the Veterans' Land Board to Lonnie King, et ux, Vol. 1317, page 329, Deed Records of Travis County, Texas;

THENCE, N 30° E 187.87 varas or 521.85 feet with the original east line of the said 75 acre tract for the northeast corner;

THENCE, N 62° 24' W pass a concrete monument set in the west right-of-way of Farm Road 973 at 15.47 varas or 42.96 feet, in all a total distance of 105.57 varas or 293.24 feet to a concrete monument set for the northwest corner;

THENCE, S 30° 35' W 191.46 varas or 531.83 feet to a concrete monument at the point of beginning and containing 3.576 acres of land. (BOWERS LAND AND CATTLE CO.)

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The City Attorney stated negotiations would continue.

The Mayor read communications addressed to the Council, as follows:

From T. J. Campion regarding zoning application of Gene Naumann on Anita Drive and Bluebonnet Lane for U-Tote'm Stores.

From Mrs. Wm. Kay Miller expressing appreciation to the Council for appointing two members to the Selection Committee of Mental Health and Mental Retardation.

An invitation to the Travis County 4-H Food Show on February 19th.

Mayor Palmer noted receipt of the petition asking that the new library retain its name "Carver Branch" instead of being designated by location.

February 17, 1966

There being no further business, Councilman Long moved that the Council adjourn. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 7:30 P.M. subject to the call of the Mayor.

APPROVED

Walter E. Palmer

Mayor

ATTEST:

Bessie Hooley

City Clerk